IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:19-ct-03190-BO

KENNETH RAY JENKINS,)	
Plaintiff,)	
V.)	ORDER
WILSON COUNTY JAIL, et al.)	
Defendants.)	

On June 25, 2019, Kenneth Ray Jenkins ("plaintiff"), then a state-pretrial detainee, filed pro se this complaint under 42 U.S.C. § 1983. See Compl. [D.E. 1]. Plaintiff proceeds without prepayment of fees. See [D.E. 2, 8]. On July 29, 2019, plaintiff moved to amend his complaint [D.E. 10]. Plaintiff also filed various letters inquiring about the status of his case, seeking to raise additional claims, and requesting appointment of counsel. See, e.g., [D.E. 6, 9, 11, 12, 13, 14, 15].

Plaintiff may amend his complaint once as a matter of course. See Fed. R. Civ. P. 15(a)(1). Plaintiff's filings, however, are not a model of clarity. Although the court liberally construes filings of pro se litigants, Hill v. Braxton, 277 F.3d 701, 707 (4th Cir. 2002), there are limits to which the court may go in dealing with such filings, see Beaudett v. City of Hampton, 775 F.2d 1274, 1278 (4th Cir. 1985) ("Principles requiring generous construction of *pro se* complaints are not, however, without limits."). Plaintiff must particularize his allegations by filing one amended complaint; the court declines to sift through plaintiff's earlier filings to identify stray claims.

The amended complaint should comply with Federal Rule of Civil Procedure 8, which provides: "A pleading that states a claim for relief must contain . . . a short and plain statement of

the claim showing that the pleader is entitled to relief" Fed. R. Civ. P. 8(a)(2). Plaintiff

should state precisely whom he seeks to name as defendants, connect defendants with the conduct

that resulted in the alleged constitutional violations, and avoid unnecessary details. Plaintiff should

briefly mention specific events and correlating dates which are the basis for suit and the

constitutional rights purportedly violated. Any amended complaint will be subject to initial review,

see 28 U.S.C. § 1915A, and to severance of claims, if necessary, see Fed. R. Civ. P. 18(a), 20(a)(2).

To the extent plaintiff seeks appointment of counsel, see [D.E. 13], no right to counsel exists

in civil cases absent "exceptional circumstances." Whisenant v. Yuam, 739 F.2d 160, 163 (4th Cir.

1984), abrogated in part on other grounds by Mallard v. U.S. Dist. Court, 490 U.S. 296 (1989); see

also Cook v. Bounds, 518 F.2d 779, 780 (4th Cir. 1975). The existence of exceptional circumstances

"hinges on [the] characteristics of the claim and the litigant." Whisenant, 739 F.2d at 163. The facts

of this case and plaintiff's abilities do not present the requisite exceptional circumstances.

In sum, the court: DENIES plaintiff's request for appointment of counsel [D.E. 13];

GRANTS plaintiff's motion to amend [D.E. 10]; and DIRECTS the clerk to send plaintiff forms to

file an amended complaint. Plaintiff shall file his amended complaint no later than February 7, 2020.

The court further WARNS plaintiff that failure file an amended complaint in the time permitted by

this order may result in the dismissal of this action without prejudice for failure to prosecute.

SO ORDERED, this **77** day of January 2020.

Tennel Boyle TERRENCE W. BOYLE

Chief United States District Judge